

### Successive § 2255 Motion

## Motion to Review Sentence

The Defendant's notice of appeal is considered as a motion to review sentence. The Defendant argues that his sentence, imposed on February 14, 2005, is "illegal." The motion is denied. Had the motion been considered as a notice of appeal, it would have been stricken as out of time.

IT IS ORDERED:

1. The Defendant's successive motion under 28 U.S.C. § 2255 (Filing No. 86) is denied;
2. The Defendant's motion to review sentence (Filing No. 89) is denied;
3. The Defendant's motion for leave to proceed in forma pauperis (Filing No. 87) is denied; and
4. The Clerk is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 17<sup>th</sup> day of February, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge